

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN THE MATTER OF:

DILIP JANA
Plaintiff,

v.

WALMART, INC.,
Defendant.

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Civil Action No. 4:24-cv-00698-SDJ-BD

FILED

JUL 11 2025

CLERK, U.S. DISTRICT COURT
TEXAS EASTERN

**PLAINTIFF'S NOTICE OF WITHDRAWAL OF RULE 34 REQUESTS FOR PRODUCTION
PENDING COURT RESOLUTION OF DISCOVERY MOTIONS**

TO THE HONORABLE COURT

Pursuant to Federal Rules of Civil Procedure 26(b), 34(b)(2)(A), and this Court's inherent authority to manage discovery, Plaintiff Dr. Dilip Jana, **pro se**, hereby withdraws Plaintiff's March 28, 2025 Rule 34 Requests for Production ("RFPs") served upon Defendant Walmart Inc., pending the Court's resolution of Plaintiff's pending discovery motions, including:

- Plaintiff's Motion to Compel Walmart's Responses to Interrogatories Nos. 1–4 and for In-Camera Review of EXHIBITS 1 and 2 of the Complaint (Dkt. 13);
- PLAINTIFF'S OBJECTIONS TO MAGISTRATE JUDGE'S ORDER (DKT. 66) AND REQUEST FOR DISTRICT JUDGE REVIEW

I. Purpose and Basis

1. Preservation of Rights:

Plaintiff's withdrawal of the RFPs is a protective procedural measure designed to preserve Plaintiff's rights and to prevent prejudice from Defendant's threatened unsolicited or procedurally improper "second round" document productions while key disputes remain pending before the Court.

2. Avoidance of Prejudice:

Defendant has indicated an intent to produce additional documents, despite ongoing disputes regarding:

- Failure to produce a timely privilege log;
- Improper blanket privilege assertions;
- Improper and uncertified June 9, 2025 production;
- Plaintiff's pending demand for native format production with metadata and hash values for authentication;
- Pending motions for in-camera review and sanctions.

Producing documents under these disputed circumstances would prejudice Plaintiff's ability to challenge authenticity, privilege, and completeness, and would undermine the integrity of the proceedings.

3. No Waiver:

This withdrawal:

- Does not constitute a waiver of Plaintiff's right to re-serve RFPs after the Court resolves pending discovery disputes.
- Does not waive any objections or rights related to discovery or evidence admissibility.
- Preserves Plaintiff's position that Walmart's pending and prior productions were untimely, procedurally defective, and noncompliant with Rule 26(a)(1)(A)(ii), Rule 34, Rule 26(b)(5)(A), and Dkt. 60.

4. Court Supervision:

Plaintiff requests that the Court require no further document production from Walmart under the withdrawn RFPs pending resolution of the motions, to avoid additional disputes, improper "document dumps," and potential spoliation concerns.

II. Reservation of Rights

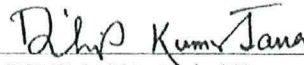
Plaintiff expressly reserves:

- The right to re-serve the withdrawn RFPs in the same or modified form after the Court's ruling on the pending motions;
- The right to seek sanctions and preclusion of improperly produced documents under Rule 37 if Walmart attempts to circumvent this withdrawal;
- All objections and challenges to any documents Walmart has produced or may attempt to produce in the interim.

WHEREFORE, Plaintiff respectfully notifies the Court and Defendant that Plaintiff's March 28, 2025 Rule 34 Requests for Production are hereby withdrawn, without prejudice, pending the Court's resolution of Plaintiff's pending discovery motions.

Date : July 11, 2025

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dilip Kumar Jana", is written over a horizontal line.

DILIP JANA, Plaintiff

Pro Se

Telephone : 318-243-9743

Email: janadilip@gmail.com

800 Fairlawn St, Allen, TX, 75002

CERTIFICATE OF SERVICE

On July 11, 2025, a true and correct copy of the foregoing was served upon the following through the Court's CM/ECF system:

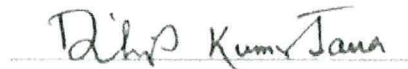
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Respectfully Submitted



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